

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 16 December 2004. Responsive to the rejections made in the Official Action, Claims 1, 7, 14, 15 and 19 have been amended to clarify the combination of elements that form the invention of the subject Patent Application. Claims 2 – 6, 8 – 13 and 16 – 18, and 20 have been cancelled by this Amendment.

In the Official Action, the Examiner rejected Claims 1 – 20 under 35 U.S.C. § 103(a), as being unpatentable over Fong, U.S. Patent Application Publication 2003/0095152, in view of Hinton, U.S. Patent No. 5,923,407, and further in view of Iizuka et al., U.S. Patent Application Publication 2002/0168176.

Before discussing the prior art relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to a digital photo frame which includes a storage unit for storing picture and music data. The digital photo frame includes a digital processing unit for processing picture and music data in the storage unit, and a display unit for displaying picture data processed by the digital processing unit and digital outer frame patterns of the digital photo frame. The device includes a sound reception and playback unit used to receive sound and play music and convert the received sound into digital music data through the digital processing unit. The sound

reception and playback unit is also used to store the digital music data into the storage unit and play music data processed by the digital processing unit. The digital photo frame includes a control software stored in the storage unit and executed by the digital processing unit. The control software is used to select a picture to be displayed from the storage unit and set a matching music for each picture and automatically play the matching music according to the displayed picture. The control software is responsive to a user input to select the digital outer frame pattern of the digital photo frame to be displayed. The digital photo frame includes a control input unit for a user to provide an input to the control software to control the digital photo frame. The control input unit is composed of at least more than one key located on the digital photo frame. A time unit is also included in the digital photo frame that is coupled to the digital processing unit for providing time-of-day data to be displayed with the picture data. The time unit includes an alarm clock function wherein the time unit is settable to a specific time for playing music through the sound reception and playback unit. From another aspect, the invention of the subject Patent Application is directed to a digital photo frame that additionally provides the display of time-of-day information as an analog clock display overlaying a simultaneously displayed picture.

It is respectfully submitted that the Fong reference is directed to a flat panel digital picture frame which includes a flat panel display unit 202, a set of speakers 204, a power control unit 206, a control panel 208 and a group of one or more

ports 210. The control panel 208 provides a set of display controls for controlling the particular image that are displayed, image selection, the display mode and the time duration for which an image is to be displayed. To accomplish the functionality, the reference includes a CPU 402, a display controller 460 and storage in the form of RAM 404, ROM 410, flash memory 412 and a hard disk 434. However, nowhere does the reference disclose or suggest the inclusion of a time or clock unit coupled to the digital processing unit for providing time-of-day data to be displayed with the picture data, and in particular, in the form of an analog clock display overlaying a simultaneously displayed picture, as now claimed. The only reference to time made in Fong, is that of the time duration for which an image is displayed, paragraphs 32 and 38, but nowhere discloses or suggests a display of time-of-day adjacent to or overlaying the picture being displayed.

Still further, the reference neither discloses nor suggests a time unit including an alarm clock function wherein the time unit is settable to a specific time for playing music through the sound reception and playback unit, as now claimed. Whereas, the only disclosure in Fong with respect to any type of clock function is that of maintaining the "time duration" for which a picture is displayed, as mentioned above. Nowhere does the reference disclose or suggest the ability to set a particular time for initiating the playing of music.

The Hinton reference does not overcome the deficiencies of Fong. The

Hinton reference is directed to a technique for automatically activating and deactivating the availability of image borders as a function of time. The image border data is stored with a time attribute, its expiration date and the availability of the border for combination with a picture image is determined based on the expiration date not having been reached. Once the expiration date has been reached, the border data is deleted from the database of available frame data.

Nowhere does the reference disclose or suggest a time unit coupled to the digital processing unit for providing time-of-day data to be displayed with the picture data, the time unit including an alarm clock function wherein the time unit is settable to a specific time for playing music through the sound reception and playback unit, as now claimed. Further, the reference fails to disclose or suggest the display of the time-of-day information being an analog clock display overlaying a simultaneously displayed picture, as now claimed.

The Iizuka et al. reference does not overcome the deficiencies of Fong combined with Hinton. The Iizuka et al. reference is directed to a motion picture playback apparatus and motion picture playback method. The system includes a time-scale control which provides motion-picture playback at a speed which corresponds with the tempo of a piece of music being output, providing synchronization between music and the motion-picture data being supplied to a display.

However, nowhere does the reference disclose or suggest a time unit

coupled to the digital processing unit for providing time-of-day data to be displayed with the picture data, the time unit including an alarm clock function wherein the time unit is settable to a specific time for playing music through the sound reception and playback unit. Further, the reference fails to disclose or suggest the display of the time-of-day information being an analog clock display overlaying a simultaneously displayed picture. Therefore, the combination of Fong, Hinton and Iizuka et al. cannot make obvious the invention of the subject Patent Application, as now claimed.

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
For: ROSENBERG, KLEIN & LEE



David I. Klein
Registration No. 33,253

Dated: 14 April 2005

Rosenberg, Klein & Lee
Suite 101
3458 Ellicott Center Drive
Ellicott City, Maryland 21043
410-465-6678

Customer No.
04586